

Adopted	Rejected
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## COMMITTEE REPORT

YES:	12
NO:	1

### MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1816, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Page 9, line 11, delete "IF:" and insert "**IF THE PROTECTED**
- 2       **PERSON IS:**
- 3           **(A) THE RESPONDENT'S CURRENT OR FORMER**
- 4           **SPOUSE;**
- 5           **(B) A CURRENT OR FORMER PERSON WITH WHOM**
- 6           **THE RESPONDENT RESIDED WHILE IN AN**
- 7           **INTIMATE RELATIONSHIP; OR**
- 8           **(C) A PERSON WITH WHOM THE RESPONDENT HAS**
- 9           **A CHILD."**
- 10       Page 9, delete lines 12 through 19.
- 11       Page 16, between lines 32 and 33, begin a new paragraph and insert:
- 12       "SECTION 20. IC 35-42-2-1.3, AS AMENDED BY P.L.47-2000,
- 13       SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 14       JULY 1, 2003]: Sec. 1.3. (a) A person who knowingly or intentionally

1 touches a ~~person~~ **an individual** who:

2 (1) is or was a spouse of the other person;

3 (2) is or was living as if a spouse of the other ~~person~~; **person as**

4 **provided in subsection (b);** or

5 (3) has a child in common with the other person;

6 in a rude, insolent, or angry manner that results in bodily injury to the

7 person described in subdivision (1), (2), or (3) commits domestic

8 battery, a Class A misdemeanor. However, the offense is a Class D

9 felony if the person has a previous, unrelated conviction under this

10 section (or IC 35-42-2-1(a)(2)(E) before its repeal).

11 **(b) In considering whether a person is or was living as a spouse**

12 **of another individual in subsection (a)(2), the court shall review the**

13 **following:**

14 **(1) the duration of the relationship;**

15 **(2) the frequency of contact;**

16 **(3) the financial interdependence;**

17 **(4) whether the two individuals are raising children together;**

18 **and**

19 **(5) whether the two individuals have engaged in tasks directed**

20 **toward maintaining a common household."**

21 Renumber all SECTIONS consecutively.  
(Reference is to HB 1816 as introduced.)

**and when so amended that said bill do pass.**

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Representative Lawson L